

Act No. 270
Public Acts of 2016
Approved by the Governor
June 29, 2016
Filed with the Secretary of State
July 1, 2016
EFFECTIVE DATE: September 29, 2016

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

Introduced by Reps. Guerra, Hughes, Barrett, Durhal, Lucido and Bizon

ENROLLED HOUSE BILL No. 5642

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," (MCL 600.101 to 600.9947) by adding section 2950o.

The People of the State of Michigan enact:

Sec. 2950o. (1) An order issued under section 2950n must be served on the wireless telephone service provider as required under the Michigan court rules.

(2) If the wireless telephone service provider cannot operationally or technically effectuate an order issued under section 2950n because of any of the following circumstances, the wireless telephone service provider shall so notify the petitioner within 72 hours after the wireless telephone service provider receives the order:

- (a) The customer has terminated service for the number.
- (b) Differences in network technology prevent the functionality of a device on the network.
- (c) There are geographic or other limitations on network or service availability.
- (d) Any other circumstance that prevents the order from being operationally or technically effectuated.

(3) If a wireless telephone service provider notifies a petitioner under subsection (2), the order issued under section 2950n is automatically suspended.

(4) On transfer of billing responsibility for and rights to a wireless telephone number to a petitioner by a wireless telephone service provider under section 2950n and this section, the petitioner shall assume all financial responsibility for service to the transferred number, monthly service costs, and costs for any mobile device associated with the number.

(5) Section 2950n and this section do not preclude a wireless telephone service provider from applying any routine and customary requirements for the establishment of service to the petitioner as part of a transfer of billing responsibility for a wireless telephone number and any devices associated with the number, including, but not limited to, identification, financial information, and customer preferences.

(6) A wireless telephone service provider and its employees and agents are not liable for any actions taken in accordance with this section or a court order issued under section 2950n.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 5641 of the 98th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor